



United States Department of State

Washington, D.C. 20520

August 7, 2009

By E-mail & Facsimile

President Fali S. Nariman
Professor S. James Anaya
Mr. John R. Crook
c/o Katia Yannaca-Small
Secretary of the Tribunal
ICSID, 1818 H Street, NW
Washington, DC 20433

Re: *Grand River Enterprises et al. v. United States of America*

Dear Members of the Tribunal:

On behalf of Respondent United States of America, we respond to the ICSID Secretariat's letter dated July 31, 2009, in which the Tribunal asked the parties to confer and agree on a period between November 9 and November 30, 2009 for the rescheduled hearing in this matter. The parties have conferred on this issue, but were not able to reach agreement. The United States is available from November 9 through November 25, 2009. We understand from Claimants, however, that they are not available during the dates proposed by the Tribunal. As stated in the United States' July 17, 2009 e-mail to the ICSID Secretariat, given our own commitments in 2010, the United States would prefer to hold the hearing in 2009.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jeffrey D. Kovar".

Jeffrey D. Kovar
Assistant Legal Adviser
Office of International Claims and
Investment Disputes

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